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Attorney for Petitioner,
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IFRAN ALI,
Petitioner,
v.
ANTHONY M. AIELLO, ET AL.,
Respondents.)
No. C 07-4700 MMC
PETITIONER'S MOTION FOR
VOLUNTARY DISMISSAL;
[PROPOSED] ORDER

Pursuant to Federal Rule of Civil Procedure 41, Petitioner through his undersigned counsel, requests that his habeas petition currently pending before the Court be dismissed. On October 24, 2007, the Board of Immigration Appeals issued a decision sustaining Petitioner's appeal, in which it concluded that Petitioner is not subject to mandatory detention and is, therefore, entitled to a bond hearing. *See* Exh. 1 (*BIA Decision*).

WHEREFORE, Petitioner prays that this Court allow him to voluntarily dismiss his habeas petition, without prejudice.

DATED: November 2, 2007

Respectfully submitted,

/s/

ROBERT B. JOBE
Law Office of Robert B. Jobe
Attorney for Petitioner

[PROPOSED] ORDER

IT IS HEREBY ORDERED that Petitioner's habeas petition be dismissed without prejudice.

IT IS SO ORDERED.

DATED:

MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE